

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Appellants:</b>	Barron <i>et al.</i>	<b>Conf. No.:</b>	1345
<b>Serial No.:</b>	10/723,115	<b>Art Unit:</b>	2441
<b>Filing Date:</b>	11/26/2003	<b>Examiner:</b>	Patel, Chirag R.
<b>Title:</b>	COMPUTER-IMPLEMENTED METHOD, SYSTEM AND PROGRAM PRODUCT FOR PROVIDING REAL-TIME ACCESS TO INFORMATION ON A COMPUTER SYSTEM OVER A NETWORK	<b>Docket No.:</b>	RSW920030264US1 (IBMR-0063)

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**BRIEF OF APPELLANTS**

This is an appeal from the Final Rejection dated March 5, 2009, rejecting claims 1-36.

This Brief is accompanied by the requisite fee set forth in 37 C.F.R. 1.17 (c).

**REAL PARTY IN INTEREST**

International Business Machines Corporation is the real party in interest.

**RELATED APPEALS AND INTERFERENCES**

There are no related appeals or interferences.

## **STATUS OF CLAIMS**

As filed, this case included claims 1-36. Claims 1-36 remain pending. Claims 1-36 stand rejected and form the basis of this appeal.

## **STATUS OF AMENDMENTS**

No amendment has been submitted in response to the After Final Rejection filed by the Office on March 5, 2009.

## **SUMMARY OF THE CLAIMED SUBJECT MATTER**

Under the present invention, user interface pages are served to a user so that the user can access “information” files in real-time using a web browser or the like. In a typical embodiment, the user will input login data, which will be used to access his/her access control permissions. Based on the access control permissions, the files the user is authorized to access will be displayed in a list along with a list of links to other computer systems in the network the user can access. When the user selects a desired file, that file will be retrieved in real-time and the information therein will be communicated to the user for viewing in the interface pages.

Claim 1 claims a computer-implemented method for providing real-time access to information on a computer system over a network, comprising: receiving login data on the computer system from a user over the network (see e.g., para 0027; Fig. 2, item 42; Fig. 3, item 60); retrieving access control permissions for the user based on the login data (see e.g., para 0027; Fig. 2, item 42); presenting to the user in a user interface a list of files on the computer system along with a list of links to other computer systems to which the user has access, the list of files having all files that the user is authorized to access irrespective of a location of the files

within the computer system, the files being specific files that are independent of each other, wherein the list of files is determined based on the access control permissions (see e.g., para 0028; Fig. 2, item 44; Fig. 4, item 62; Fig. 5, item 70); receiving from the user a selection of a desired file from the list of files (see e.g., para 0028-0029; Fig. 2, item 46; Fig. 5, item 70); and retrieving the desired file in real-time and communicating information in the desired file to the user (see e.g., para 0029; Fig. 2, items 48, 50; Fig. 6, item 80), wherein the desired file is retrieved in isolation from an operating system of the computer system (see e.g., para 0020; Fig. 4, item 62; Fig. 5, item 70).

Claim 10 claims a computer-implemented method for providing real-time access to information on a computer system over a network, comprising: receiving login data from a user on one of a plurality of interconnected computer systems over the network (see e.g., para 0027; Fig. 2, item 42; Fig. 3, item 60); retrieving access control permissions for the user based on the login data (see e.g., para 0027; Fig. 2, item 42); presenting to the user in a user interface a list of files on the one of the plurality of interconnected computer systems, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer one of the plurality of interconnected computer systems, the files being specific files that are independent of each other, and a list of links to other computer systems in the plurality of interconnected computer systems, wherein the list of files is determined based on the access control permissions (see e.g., para 0028; Fig. 2, item 44; Fig. 4, item 62; Fig. 5, item 70); receiving a selection of a desired file from the user (see e.g., para 0028-0029; Fig. 2, item 46; Fig. 5, item 70); and retrieving the desired file in real-time from a corresponding one of the plurality of interconnected computer systems and communicating information in the desired file to the user (see e.g., para 0029; Fig. 2, items 48, 50; Fig. 6, item 80), wherein the desired file is

retrieved in isolation from an operating system of the computer system (see e.g., para 0020; Fig. 4, item 62; Fig. 5, item 70).

Claim 19 claims a computerized system for providing real-time access to information on a computer system over a network, comprising: an interface system for serving interface pages over the network from a computer system to a user system (see e.g., para 0027; Fig. 2, item 40); a login system for receiving login data from a user operating the user system and for retrieving access control permissions for the user based on the login data (see e.g., para 0027; Fig. 2, item 42; Fig. 3, item 60); a file display system for presenting to the user in the interface pages a list of files on the computer system along with a list of links to other computer systems to which the user has access, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer system, the files being specific files that are independent of each other, wherein the list of files is determined based on the access control permissions (see e.g., para 0028; Fig. 2, item 44; Fig. 4, item 62; Fig. 5, item 70); a selection system for receiving from the user a selection of a desired file from the list of files (see e.g., para 0028-0029; Fig. 2, item 46; Fig. 5, item 70); and a file retrieval system for retrieving the desired file in real-time and for communicating information in the desired file to the user (see e.g., para 0029; Fig. 2, items 48, 50; Fig. 6, item 80), wherein the desired file is retrieved in isolation from an operating system of the computer system (see e.g., para 0020; Fig. 4, item 62; Fig. 5, item 70).

Claim 28 claims a program product stored on a recordable medium for providing real-time access to information on a computer system over a network, which when executed, comprises: program code for serving interface pages over the network from a computer system to a user system (see e.g., para 0027; Fig. 2, item 40); program code for receiving login data from a user operating the user system and for retrieving access control permissions for the user based on

the login data (see e.g., para 0027; Fig. 2, item 42; Fig. 3, item 60); program code for presenting to the user in the interface pages a list of files on the computer system along with a list of links to other computer systems to which the user has access, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer system, the files being specific files that are independent of each other, wherein the list of files is determined based on the access control permissions (see e.g., para 0028; Fig. 2, item 44; Fig. 4, item 62; Fig. 5, item 70); program code for receiving from the user a selection of a desired file from the list of files (see e.g., para 0028-0029; Fig. 2, item 46; Fig. 5, item 70); and program code for retrieving the desired file in real-time and for communicating information in the desired file to the user (see e.g., para 0029; Fig. 2, items 48, 50; Fig. 6, item 80), wherein the desired file is retrieved in isolation from an operating system of the computer system (see e.g., para 0020; Fig. 4, item 62; Fig. 5, item 70).

#### **GROUND OF REJECTION TO BE REVIEWED ON APPEAL**

1. Claims 1-36 stand rejected under 35 U.S.C. §103(a) as being anticipated by Martin (U.S. Patent Pub. No. 2003/0217264), hereafter “Martin,” in view of Matsubara (U.S. Patent Pub. No. 2003/0225796), hereafter “Matsubara.”

## ARGUMENT

### 1. REJECTION OF CLAIMS 1-36 UNDER 35 U.S.C. §103(a) OVER MARTIN AND MATSUBARA

Appellants respectfully submit that the rejection of claims 1-36 under 35 U.S.C. §103(a) over Martin and Matsubara is defective.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Appellants respectfully submit that the Martin and Matsubara references, taken alone or in combination, fail to meet each of the three basic criteria required to establish a *prima facie* case of obviousness. As such, the rejection under 35 U.S.C. §103(a) is defective.

In the above referenced Final Office Action, the Examiner alleges that the cited references teach or suggest presenting to the user in a user interface a list of files on the computer system along with a list of links to other computer systems to which the user has access, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer system, the files being specific files that are independent of each other, wherein the list of files is determined based on the access control permissions. The Examiner admits that Martin does not teach this feature of the claimed invention. Instead, the Examiner cites a passage of Matsubara.

The passage of Matsubara relied upon by the Examiner describes an access control list that indicates whether a user has permission for a particular download operation. Para. 0063. However, the access control list of Matsubara is specifically taught as being an “...access control

list of the selected file.” Para. 0063. To this extent, the access control list of Matsubara is not a listing of files for which a specific user has access, as the Examiner contends, but rather a listing of users that have access to one specific file. See Final Office Action, page 2, 3<sup>rd</sup> paragraph.

Furthermore, even assuming, *arguendo*, that the access control list of Matsubara does contain multiple files, the access control list is never taught as being displayed to the user for selection of files therefrom by the user. Instead, Matsubara teaches display to the user only of files in a directory. Para. 0027, 0033. To this extent, the files of Matsubara that are displayed to the user are dependent upon the file structure, i.e., they are in the same directory. As such, nowhere does Matsubara present a list of files on the computer system along with a list of links to other computer systems to which the user has access, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer system, the files being specific files that are independent of each other.

In the above referenced Final Office Action, the Examiner alleges that the cited references teach or suggest that the desired file is retrieved in isolation from an operating system of the computer system. In support thereof, the Examiner cites passages of Matsubara that describe the network resource browser (NRB) software as software that is loaded on each client machine to enable it to interact with the file structure of its resource naming service (RNS) server. Para. 0032. However, as described in Matsubara, the NRB software merely propagates the directory structure that is defined in the RNS server to the user. Para. 0033. To this extent, the NRB software of Matsubara merely interprets one particular architecture (i.e., that of the RNS server), and provides it to the user. As such, the NRB software is merely an extension of the operating system of the RNS server on the client. Thus, the retrieval of files via the NRB of Matsubara is via the operating system of the RNS server and not in isolation thereof.

Accordingly, the NBR software of Matsubara fails to teach or suggest the retrieval of a desired file in isolation from an operating system of the computer system as included in the claimed invention.

### **CONCLUSION**

In summary, Appellants submit that claims 1-36 are allowable because the cited references, taken alone or in combination, fail to meet each of the three basic criteria required to establish a *prima facie* case of obviousness.

Respectfully submitted,

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## CLAIMS APPENDIX

### Claim Listing:

1. A computer-implemented method for providing real-time access to information on a computer system over a network, comprising:

receiving login data on the computer system from a user over the network;

retrieving access control permissions for the user based on the login data;

presenting to the user in a user interface a list of files on the computer system along with a list of links to other computer systems to which the user has access, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer system, the files being specific files that are independent of each other, wherein the list of files is determined based on the access control permissions;

receiving from the user a selection of a desired file from the list of files; and

retrieving the desired file in real-time and communicating information in the desired file to the user,

wherein the desired file is retrieved in isolation from an operating system of the computer system.

2. The computer-implemented method of claim 1, wherein the network is the Internet, and wherein the user interface is a web browser.

3. The computer-implemented method of claim 1, wherein the list of files contains at least one file type selected from the group consisting of a properties file, a configuration file and a log file.

4. The computer-implemented method of claim 1, further comprising receiving from the user a selection of a particular location within the desired file, wherein the information communicated to the user is from the particular location.
5. The computer-implemented method of claim 1, further comprising the user searching the information using the user interface.
6. The computer-implemented method of claim 1, wherein the computer system is one of a plurality of computer systems interconnected in a distributed environment.
7. The computer-implemented method of claim 1, wherein the files in the list of files are stored on the computer system.
8. The computer-implemented method of claim 1, the information in the file is communicated to the user interface for display.
9. The computer-implemented method of claim 1, wherein communicating the information in the desired file comprises downloading the desired file to the user for display of the information within the user interface.
10. A computer-implemented method for providing real-time access to information on a computer system over a network, comprising:

receiving login data from a user on one of a plurality of interconnected computer systems over the network;

retrieving access control permissions for the user based on the login data;

presenting to the user in a user interface a list of files on the one of the plurality of interconnected computer systems, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer one of the plurality of interconnected computer systems, the files being specific files that are independent of each other, and a list of links to other computer systems in the plurality of interconnected computer systems, wherein the list of files is determined based on the access control permissions;

receiving a selection of a desired file from the user; and

retrieving the desired file in real-time from a corresponding one of the plurality of interconnected computer systems and communicating information in the desired file to the user,

wherein the desired file is retrieved in isolation from an operating system of the computer system.

11. The computer-implemented method of claim 10, wherein the network is the Internet, and wherein the user interface is a web browser.

12. The computer-implemented method of claim 10, wherein the list of files contains at least one file type selected from the group consisting of a properties file, a configuration file and a log file.

13. The computer-implemented method of claim 10, further comprising receiving from the user a selection of a particular location within the desired file, wherein the information communicated to the user is from the particular location.

14. The computer-implemented method of claim 10, further comprising the user searching the information using the user interface.

15. The computer-implemented method of claim 10, wherein the corresponding one of the plurality of interconnected computer systems is the one of the plurality of interconnected computer systems on which the login data is received.

16. The computer-implemented method of claim 10, further comprising:

receiving a selection of a link in the list of links after the presenting step;

accessing another one of the plurality of interconnected computer systems based on the selection of the link; and

presenting to the user a new list of files the user is authorized to access on the other one of the plurality of interconnected computer systems, wherein the selecting step comprises selecting the desired file from the new list of files, and wherein the desired file is retrieved in real-time from the other one of the plurality of interconnected computer systems.

17. The computer-implemented method of claim 10, the information in the desired file is communicated to the user interface for display.

18. The computer-implemented method of claim 10, wherein communicating the information in the desired file comprises downloading the desired file to the user for display of the information within the user interface.

19. A computerized system for providing real-time access to information on a computer system over a network, comprising:

- an interface system for serving interface pages over the network from a computer system to a user system;

- a login system for receiving login data from a user operating the user system and for retrieving access control permissions for the user based on the login data;

- a file display system for presenting to the user in the interface pages a list of files on the computer system along with a list of links to other computer systems to which the user has access, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer system, the files being specific files that are independent of each other, wherein the list of files is determined based on the access control permissions;

- a selection system for receiving from the user a selection of a desired file from the list of files; and

- a file retrieval system for retrieving the desired file in real-time and for communicating information in the desired file to the user,

- wherein the desired file is retrieved in isolation from an operating system of the computer system.

20. The computerized system of claim 19, wherein the network is the Internet, and wherein the interface pages are served to a browser operated by the user.
21. The computerized system of claim 19, wherein the list of files contains at least one file type selected from the group consisting of a properties file, a configuration file and a log file.
22. The computerized system of claim 19, further comprising a file location system for receiving from the user a selection of a particular location within the desired file, wherein the information communicated to the user is from the particular location.
23. The computerized system of claim 19, further comprising a search system for receiving search queries for searching the desired file from the user.
24. The computerized system of claim 19, wherein the computer system is one of a plurality of computer systems interconnected in a distributed environment.
25. The computerized system of claim 19, wherein the files in the list of files are stored on the computer system.
26. The computerized system of claim 19, wherein the information in the file is displayed within the interface pages.

27. The computerized system of claim 19, wherein the information is communicated by downloading the desired file to the user for display of the information within the interface pages.

28. A program product stored on a recordable medium for providing real-time access to information on a computer system over a network, which when executed, comprises:

- program code for serving interface pages over the network from a computer system to a user system;

- program code for receiving login data from a user operating the user system and for retrieving access control permissions for the user based on the login data;

- program code for presenting to the user in the interface pages a list of files on the computer system along with a list of links to other computer systems to which the user has access, the list of files having all files that the user is authorized to access irrespective of a location of the files within the computer system, the files being specific files that are independent of each other, wherein the list of files is determined based on the access control permissions;

- program code for receiving from the user a selection of a desired file from the list of files;
- and

- program code for retrieving the desired file in real-time and for communicating information in the desired file to the user,

- wherein the desired file is retrieved in isolation from an operating system of the computer system.

29. The program product of claim 28, wherein the network is the Internet, and wherein the interface pages are served to a browser operated by the user.

30. The program product of claim 28, wherein the list of files contains at least one file type selected from the group consisting of a properties file, a configuration file and a log file.

31. The program product of claim 28, further comprising program code for receiving from the user a selection of a particular location within the desired file, wherein the information communicated to the user is from the particular location.

32. The program product of claim 28, further comprising program code for receiving search queries for searching the desired file from the user.

33. The program product of claim 28, wherein the computer system is one of a plurality of computer systems interconnected in a distributed environment.

34. The program product of claim 28, wherein the files in the list of files are stored on the computer system.

35. The program product of claim 28, wherein the information in the file is displayed within the interface pages.

36. The program product of claim 28, wherein the information is communicated by downloading the desired file to the user for display of the information within the interface pages.

## **EVIDENCE APPENDIX**

No evidence is entered and relied upon in the appeal.

## **RELATED PROCEEDINGS APPENDIX**

No decisions rendered by a court or the Board in any proceeding are identified in the related appeals and interferences section.